



January 31, 2019

**VIA EMAIL**

Lisa Fernandez  
Digital Reporter/Producer/  
KTVU Channel 2  
Email: [lisa.fernandez@foxtv.com](mailto:lisa.fernandez@foxtv.com)

**Re: January 28, 2019 Public Records Act Request**

Ms. Fernandez:

I write to you on behalf of the City Attorney's Office for the City of Walnut Creek ("City") in connection with your January 28<sup>th</sup> California Public Records Act ("CPRA") request. This letter is to inform you that on January 24, 2019, the Superior Court of Contra Costa County issued a temporary restraining order and order to show cause on behalf of the Walnut Creek Police Officers' Association ("WC POA").

The order enjoins and restrains the City from "retroactively enforcing or applying Senate Bill 1421's amendments to California Penal Code sections 832.7 and 832.8 in any manner which would result in the disclosure or production of peace officer personnel records and information regarding incidents or reflecting conduct occurring prior to January 1, 2019 that would not have otherwise been subject to disclosure prior to January 1, 2019." The court scheduled a subsequent hearing on this matter for February 8, 2019 at 1:30 p.m. at 725 Court Street in Martinez.

The City is still processing your records request. However, to the extent that the City has records responsive to your request, the temporary restraining order would affect those records in existence prior to January 1, 2019 and the City will not release said records pending the outcome of the litigation. As of today's date, the City does not possess any records created after January 1, 2019 that would be responsive to your request. The order is attached for your review.

We will keep you apprised of the status of your CPRA request as this matter is litigated. If you have any questions, please feel free to contact the City Attorney's Office at (925) 943-5813.

Sincerely,

A handwritten signature in black ink, appearing to read "Lindsay D'Andrea", with a long horizontal flourish extending to the right.

Lindsay D'Andrea, Esq.  
City Attorney's Office,  
City of Walnut Creek

cc: Dan Buckshi, City Manager  
Chief Tom Chaplin, Chief of Police  
Suzie Martinez, City Clerk  
Steve Mattas, City Attorney

ATTACHMENTS

Temporary Restraining Order and Order to Show Cause

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